



JOHN R. ASHCROFT
SECRETARY OF STATE
STATE OF MISSOURI

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May 27, 2020

The Honorable Nicole Galloway
State Auditor
State Capitol Building
Jefferson City, MO 65101

RECEIVED

MAY 28 2020

STATE AUDITORS OFFICE

RE: Fiscal Note and Fiscal Note Summary Request for Senate Substitute No. 3 for Senate Joint Resolution No. 38

Dear Ms. Galloway:

Enclosed please find a copy of Senate Substitute No. 3 for Senate Joint Resolution No. 38 that was received by our office.

We are referring the enclosed joint resolution to you for the purposes of preparing a fiscal note and fiscal note summary in accordance with Sections 116.160.1, 116.170 and 116.175, RSMo. As you are aware, the fiscal note and fiscal note summary are required to be forwarded by you to our office within thirty days of receipt of the joint resolution, pursuant to Section 116.170, RSMo.

Thank you for your immediate consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Ashcroft".

John R. Ashcroft
Secretary of State

cc: Hon. Eric S. Schmitt
Sheri Hoffman
Trish Vincent

SECOND REGULAR SESSION
 [TRULY AGREED TO AND FINALLY PASSED]
 SENATE SUBSTITUTE NO. 3 FOR

SENATE JOINT RESOLUTION NO. 38

100TH GENERAL ASSEMBLY

2020

4110S.08T

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2, 3, and 7 of article III of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the state of Missouri, on
 2 Tuesday next following the first Monday in November, 2020, or at a special
 3 election to be called by the governor for that purpose, there is hereby submitted
 4 to the qualified voters of this state, for adoption or rejection, the following
 5 amendment to article III of the Constitution of the state of Missouri:

Section A. Sections 2, 3, and 7, article III, Constitution of Missouri, are
 2 repealed and three new sections adopted in lieu thereof, to be known as sections
 3 2, 3, and 7, to read as follows:

Section 2. (a) After December 6, 2018, no person serving as a member of
 2 or employed by the general assembly shall act or serve as a paid lobbyist, register
 3 as a paid lobbyist, or solicit prospective employers or clients to represent as a
 4 paid lobbyist during the time of such service until the expiration of two calendar
 5 years after the conclusion of the session of the general assembly in which the
 6 member or employee last served and where such service was after December 6,
 7 2018.

(b) No person serving as a member of or employed by the general
 9 assembly shall accept directly or indirectly a gift of any tangible or intangible
 10 item, service, or thing of value from any paid lobbyist or lobbyist principal [in
 11 excess of five dollars per occurrence]. This Article shall not prevent candidates

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

12 for the general assembly, including candidates for reelection, or candidates for
13 offices within the senate or house from accepting campaign contributions
14 consistent with this Article and applicable campaign finance law. Nothing in this
15 section shall prevent individuals from receiving gifts, family support or anything
16 of value from those related to them within the fourth degree by blood or
17 marriage. [The dollar limitations of this section shall be increased or decreased
18 each year by the percentage of increase or decrease from the end of the previous
19 calendar year of the Consumer Price Index, or successor index as published by the
20 U.S. Department of Labor, or its successor agency, and rounded to the nearest
21 dollar amount.]

22 (c) The general assembly shall make no law authorizing unlimited
23 campaign contributions to candidates for the general assembly, nor any law that
24 circumvents the contribution limits contained in this Constitution. In addition
25 to other campaign contribution limitations or restrictions provided for by law, the
26 amount of contributions made to or accepted by any candidate or candidate
27 committee from any person other than the candidate in any one election [for the
28 general assembly] **to the office of state representative or state senator**
29 shall not exceed the following:

30 (1) To elect an individual to the office of state senator, two thousand [five]
31 **four** hundred dollars; and

32 (2) To elect an individual to the office of state representative, two
33 thousand dollars.

34 The contribution limits and other restrictions of this section shall also
35 apply to any person exploring a candidacy for [a public office listed in this
36 subsection] **the office of state representative or state senator**.

37 [For purposes of this subsection, "base year amount" shall be the
38 contribution limits prescribed in this section. Contribution limits set forth herein
39 shall be adjusted on the first day of January in each even-numbered year
40 hereafter by multiplying the base year amount by the cumulative Consumer Price
41 Index and rounded to the nearest dollar amount, for all years after 2018.]

42 (d) No contribution to a candidate for legislative office shall be made or
43 accepted, directly or indirectly, in a fictitious name, in the name of another
44 person, or by or through another person in such a manner as to, or with the
45 intent to, conceal the identity of the actual source of the contribution. There shall
46 be a rebuttable presumption that a contribution to a candidate for public office
47 is made or accepted with the intent to circumvent the limitations on contributions

48 imposed in this section when a contribution is received from a committee or
49 organization that is primarily funded by a single person, individual, or other
50 committee that has already reached its contribution limit under any law relating
51 to contribution limitations. A committee or organization shall be deemed to be
52 primarily funded by a single person, individual, or other committee when the
53 committee or organization receives more than fifty percent of its annual funding
54 from that single person, individual, or other committee.

55 (e) In no circumstance shall a candidate be found to have violated limits
56 on acceptance of contributions if the Missouri ethics commission, its successor
57 agency, or a court determines that a candidate has taken no action to indicate
58 acceptance of or acquiescence to the making of an expenditure that is deemed a
59 contribution pursuant to this section.

60 (f) No candidate shall accept contributions from any federal political
61 action committee unless the committee has filed the same financial disclosure
62 reports that would be required of a Missouri political action committee.

Section 3. (a) [There is hereby established the post of "Nonpartisan State
2 Demographer". The nonpartisan state demographer shall acquire appropriate
3 information to develop procedures in preparation for drawing legislative
4 redistricting maps on the basis of each federal census for presentation to the
5 house apportionment commission and the senatorial apportionment commission.

6 (b) The nonpartisan state demographer shall be selected through the
7 following process. First, state residents may apply for selection to the state
8 auditor using an application developed by the state auditor to determine an
9 applicant's qualifications and expertise relevant to the position. Second, the state
10 auditor shall deliver to the majority leader and minority leader of the senate a
11 list of at least three applicants with sufficient expertise and qualifications, as
12 determined by the state auditor, to perform the duties of the nonpartisan state
13 demographer. Third, if the majority leader and minority leader of the senate
14 together agree that a specific applicant should be selected to be the nonpartisan
15 state demographer, that applicant shall be selected and the selection process shall
16 cease. Fourth, if the majority leader and minority leader of the senate cannot
17 together agree on an applicant, they may each remove a number of applicants on
18 the state auditor's list equal to one-third of the total number of applicants on that
19 list, rounded down to the next integer, and the state auditor shall then conduct
20 a random lottery of the applicants remaining after removal to select the
21 nonpartisan state demographer. The state auditor shall prescribe a time frame

22 and deadlines for this application and selection process that both encourages
23 numerous qualified applicants and avoids delay in selection. The nonpartisan
24 state demographer shall serve a term of five years and may be reappointed. To
25 be eligible for the nonpartisan state demographer position, an individual shall not
26 have served in a partisan, elected position for four years prior to the
27 appointment. The nonpartisan state demographer shall be disqualified from
28 holding office as a member of the general assembly for four years following the
29 date of the presentation of his or her most recent legislative redistricting map to
30 the house apportionment commission or the senatorial apportionment
31 commission.

32 (c) The house of representatives shall consist of one hundred sixty-three
33 members elected at each general election and [apportioned] **redistricted** as
34 provided in this section.

35 [(1) (b) [Within ten days after the population of this state is reported
36 to the President for each decennial census of the United States or, in the event
37 that a reapportionment has been invalidated by a court of competent jurisdiction,
38 within ten days after such a ruling has been made, the nonpartisan state
39 demographer] **The house independent bipartisan citizens commission**
40 shall [begin the preparation of legislative districting plans and maps] **redistrict**
41 **the house of representatives** using the following methods, listed in order of
42 priority:

43 [a.] (1) Districts shall be [established on the basis of total] **as nearly**
44 **equal as practicable in population**[. Legislative districts shall each have a
45 total population as nearly equal as practicable to the ideal population for such
46 districts, determined by dividing the number of districts to be established into the
47 total population of the state reported in the federal decennial census], **and shall**
48 **be drawn on the basis of one person, one vote. Districts are as nearly**
49 **equal as practicable in population if no district deviates by more than**
50 **one percent from the ideal population of the district, as measured by**
51 **dividing the number of districts into the statewide population data**
52 **being used, except that a district may deviate by up to three percent if**
53 **necessary to follow political subdivision lines consistent with**
54 **subdivision (4) of this subsection;**

55 [b.] (2) Districts shall be established in a manner so as to comply with
56 all requirements of the United States Constitution and applicable federal laws,
57 including, but not limited to, the Voting Rights Act of 1965 (as

58 amended). [Notwithstanding any other provision of this Article, districts shall
59 not be drawn with the intent or result of denying or abridging the equal
60 opportunity of racial or language minorities to participate in the political process
61 or diminishing their ability to elect representatives of their choice, whether by
62 themselves or by voting in concert with other persons.] **The following**
63 **principles shall take precedence over any other part of this**
64 **constitution: no district shall be drawn in a manner which results in a**
65 **denial or abridgment of the right of any citizen of the United States to**
66 **vote on account of race or color; and no district shall be drawn such**
67 **that members of any community of citizens protected by the preceding**
68 **clause have less opportunity than other members of the electorate to**
69 **participate in the political process and to elect representatives of their**
70 **choice;**

71 [Districts shall be designed in a manner that achieves both partisan
72 fairness and, secondarily, competitiveness. "Partisan fairness" means that parties
73 shall be able to translate their popular support into legislative representation
74 with approximately equal efficiency. "Competitiveness" means that parties'
75 legislative representation shall be substantially and similarly responsive to shifts
76 in the electorate's preferences.

77 To this end, the nonpartisan state demographer shall calculate the average
78 electoral performance of the two parties receiving the most votes in the three
79 preceding elections for governor, for United States Senate, and for President of
80 the United States. This index shall be defined as the total votes received by each
81 party in the three preceding elections for governor, for United States Senate, and
82 for President of the United States, divided by the total votes cast for both parties
83 in these elections. Using this index, the nonpartisan state demographer shall
84 calculate the total number of wasted votes for each party, summing across all of
85 the districts in the plan. "Wasted votes" are votes cast for a losing candidate or
86 for a winning candidate in excess of the fifty percent threshold needed for victory.
87 In any plan of apportionment and map of the proposed districts submitted to the
88 respective apportionment commission, the nonpartisan state demographer shall
89 ensure the difference between the two parties' total wasted votes, divided by the
90 total votes cast for the two parties, is as close to zero as practicable.

91 To promote competitiveness, the nonpartisan state demographer shall use
92 the electoral performance index to simulate elections in which the hypothetical
93 statewide vote shifts by one percent, two percent, three percent, four percent, and

94 five percent in favor of each party. The vote in each individual district shall be
95 assumed to shift by the same amount as the statewide vote. The nonpartisan
96 state demographer shall ensure that, in each of these simulated elections, the
97 difference between the two parties' total wasted votes, divided by the total votes
98 cast for the two parties, is as close to zero as practicable;

99 c.] (3) Subject to the requirements of [paragraphs a. and b. of this
100 subdivision] **subdivisions (1) and (2) of this subsection**, districts shall be
101 composed of contiguous territory **as compact as may be**. Areas which meet
102 only at the points of adjoining corners are not contiguous. **In general, compact**
103 **districts are those which are square, rectangular, or hexagonal in shape**
104 **to the extent permitted by natural or political boundaries;**

105 [d.] (4) To the extent consistent with [paragraphs a. to c. of this
106 subdivision, district boundaries shall coincide with the boundaries of political
107 subdivisions of the state. The number of counties and cities divided among more
108 than one district shall be as small as possible. When there is a choice between
109 dividing local political subdivisions, the more populous subdivisions shall be
110 divided before the less populous, but this preference shall not apply to a
111 legislative district boundary drawn along a county line which passes through a
112 city that lies in more than one county] **subdivisions (1) to (3) of this**
113 **subsection, communities shall be preserved. Districts shall satisfy this**
114 **requirement if district lines follow political subdivision lines to the**
115 **extent possible, using the following criteria, in order of priority. First,**
116 **each county shall wholly contain as many districts as its population**
117 **allows. Second, if a county wholly contains one or more districts, the**
118 **remaining population shall be wholly joined in a single district made**
119 **up of population from outside the county. If a county does not wholly**
120 **contain a district, then no more than two segments of a county shall be**
121 **combined with an adjoining county. Third, split counties and county**
122 **segments, defined as any part of the county that is in a district not**
123 **wholly within that county, shall each be as few as possible. Fourth, as**
124 **few municipal lines shall be crossed as possible;**

125 [e. Preference shall be that districts are compact in form, but the
126 standards established by paragraphs a. to d. of this subdivision take precedence
127 over compactness where a conflict arises between compactness and these
128 standards. In general, compact districts are those which are square, rectangular,
129 or hexagonal in shape to the extent permitted by natural or political boundaries.]

130 (5) Districts shall be drawn in a manner that achieves both
131 partisan fairness and, secondarily, competitiveness, but the standards
132 established by subdivisions (1) to (4) of this subsection shall take
133 precedence over partisan fairness and competitiveness. "Partisan
134 fairness" means that parties shall be able to translate their popular
135 support into legislative representation with approximately equal
136 efficiency. "Competitiveness" means that parties' legislative
137 representation shall be substantially and similarly responsive to shifts
138 in the electorate's preferences.

139 To this end, the average electoral performance of the two
140 political parties receiving the most votes in the three preceding general
141 elections for governor, for United States Senate, and for President of
142 the United States shall be calculated. This index shall be defined as the
143 total votes received by each party in the three preceding general
144 elections for governor, for United States Senate, and for President of
145 the United States, divided by the total votes cast for both parties in
146 these elections. Using this index, the total number of wasted votes for
147 each party, summing across all of the districts in the plan shall be
148 calculated. "Wasted votes" are votes cast for a losing candidate or for
149 a winning candidate in excess of the threshold needed for victory. In
150 any redistricting plan and map of the proposed districts, the difference
151 between the two parties' total wasted votes, divided by the total votes
152 cast for the two parties, shall not exceed fifteen percent.

153 To promote competitiveness, the electoral performance index
154 shall be used to simulate elections in which the hypothetical statewide
155 vote shifts by one percent, two percent, three percent, four percent, and
156 five percent in favor of each party. The vote in each individual district
157 shall be assumed to shift by the same amount as the statewide vote. In
158 each of these simulated elections, the difference between the two
159 parties' total wasted votes, divided by the total votes cast for the two
160 parties, shall not exceed fifteen percent.

161 [(2)] (c) Within sixty days after the population of this state is reported
162 to the President for each decennial census of the United States or, in the event
163 that a [reapportionment] **redistricting plan** has been invalidated by a court of
164 competent jurisdiction, within sixty days that such a ruling has been made, **the**
165 **state committee and the congressional district [committee] committees** of
166 each of the two **political** parties casting the highest vote for governor at the last

167 preceding **general** election shall meet and the members of [the] **each** committee
168 shall nominate, by a majority vote of the **elected** members of the committee
169 present, provided that a majority of the elected members is present, [two]
170 members of their party, residents in that district, **in the case of a**
171 **congressional district committee**, as nominees for [reapportionment
172 commissioners] **the house independent bipartisan citizens**
173 **commission**. [Neither] **No** party shall select more than one nominee from any
174 one state legislative district. The congressional **district** committees shall each
175 submit to the governor their list of **two** elected nominees. **The state**
176 **committees shall each submit to the governor their list of five elected**
177 **nominees**. Within thirty days **thereafter**, the governor shall appoint a **house**
178 **independent bipartisan citizens** commission consisting of one [name]
179 **nominee** from each list **submitted by each congressional district**
180 **committee and two nominees from each list submitted by each state**
181 **committee to [reapportion] redistrict** the state into one hundred and
182 sixty-three representative districts and to establish the numbers and boundaries
183 of said districts. **No person shall be appointed to both the house**
184 **independent bipartisan citizens commission and the senate**
185 **independent bipartisan citizens commission during the same**
186 **redistricting cycle**.

187 If any [of the congressional committees] **committee** fails to submit a list
188 within such time, the governor shall appoint a member of his **or her** own choice
189 [from that district and] from the political party of the committee failing to [make
190 the appointment] **submit a list, provided that in the case of a**
191 **congressional district committee failing to submit a list, the person**
192 **appointed to the commission by the governor shall reside in the**
193 **congressional district of such committee**.

194 Members of the commission shall be disqualified from holding office as
195 members of the general assembly for four years following the date of the filing by
196 the commission of its final [statement of apportionment] **redistricting plan**.

197 For the purposes of this Article, the term congressional district committee
198 or congressional district refers to the congressional district committee or the
199 congressional district from which a congressman was last elected, or, in the event
200 members of congress from this state have been elected at large, the term
201 congressional district committee refers to those persons who last served as the
202 congressional district committee for those districts from which congressmen were

203 last elected, and the term congressional district refers to those districts from
204 which congressmen were last elected. Any action pursuant to this section by the
205 congressional district committee shall take place only at duly called meetings,
206 shall be recorded in their official minutes and only members present in person
207 shall be permitted to vote.

208 [(3) Within six months after the population of this state is reported to the
209 President for each decennial census of the United States or, in the event that a
210 reapportionment has been invalidated by a court of competent jurisdiction, within
211 six months after such a ruling has been made, the nonpartisan state demographer
212 shall make public and file with the secretary of state and with the house
213 apportionment commission a tentative plan of apportionment and map of the
214 proposed districts, as well as all demographic and partisan data used in the
215 creation of the plan and map.]

216 (d) The commissioners so selected shall, [within ten days of receiving the
217 tentative plan of apportionment and map of the proposed districts,] **on the**
218 **fifteenth day, excluding Sundays and state holidays, after all members**
219 **have been appointed**, meet in the capitol building and proceed to organize by
220 electing from their number a chairman, vice chairman and secretary. The
221 commission shall adopt an agenda establishing at least three hearing dates on
222 which hearings open to the public shall be held to hear objections or testimony
223 from interested persons. A copy of the agenda shall be filed with the clerk of the
224 house of representatives within twenty-four hours after its adoption. Executive
225 meetings may be scheduled and held as often as the commission deems advisable.

226 [The commission may make changes to the tentative plan of apportionment
227 and map of the proposed districts received from the nonpartisan state
228 demographer provided that such changes are consistent with this section and
229 approved by a vote of at least seven-tenths of the commissioners. If no changes
230 are made or approved as provided for in this subsection, the tentative plan of
231 apportionment and map of proposed districts shall become final. Not later than
232 two months of receiving the tentative plan of apportionment and map of the
233 proposed districts, the commission shall file with the secretary of state a final
234 statement of the numbers and the boundaries of the districts together with a map
235 of the districts.]

236 (e) **Not later than five months after the appointment of the**
237 **commission, the commission shall file with the secretary of state a**
238 **tentative redistricting plan and map of the proposed districts and**

239 during the ensuing fifteen days shall hold such public hearings as may
240 be necessary to hear objections or testimony of interested persons. The
241 commission shall make public the tentative redistricting plan and map
242 of the proposed districts, as well as all demographic and partisan data
243 used in the creation of the plan and map.

244 (f) Not later than six months after the appointment of the
245 commission, the commission shall file with the secretary of state a final
246 statement of the numbers and the boundaries of the districts together
247 with a map of the districts, and no statement shall be valid unless
248 approved by at least seven-tenths of the members.

249 (g) After the final statement is filed, members of the house of
250 representatives shall be elected according to such districts until a new
251 redistricting plan is made as provided in this section, except that if the
252 final statement is not filed within six months of the time fixed for the
253 appointment of the commission, the commission shall stand discharged
254 and the house of representatives shall be redistricted using the same
255 methods and criteria as described in subsection (b) of this section by
256 a commission of six members appointed from among the judges of the
257 appellate courts of the state of Missouri by the state supreme court, a
258 majority of whom shall sign and file its redistricting plan and map with
259 the secretary of state within ninety days of the date of the discharge of
260 the house independent bipartisan citizens commission. The judicial
261 commission shall make public the tentative redistricting plan and map
262 of the proposed districts, as well as all demographic and partisan data
263 used in the creation of the plan and map. Thereafter, members of the
264 house of representatives shall be elected according to such districts
265 until a redistricting plan is made as provided in this section.

266 (h) Each member of the commission shall receive as compensation fifteen
267 dollars a day for each day the commission is in session but not more than one
268 thousand dollars, and, in addition, shall be reimbursed for his or her actual and
269 necessary expenses incurred while serving as a member of the commission.

270 (i) No [reapportionment] redistricting plan shall be subject to the
271 referendum.

272 (j) Any action expressly or implicitly alleging that a redistricting
273 plan violates this Constitution, federal law, or the United States
274 Constitution shall be filed in the circuit court of Cole County and shall
275 name the body that approved the challenged redistricting plan as a

276 defendant. Only an eligible Missouri voter who sustains an individual
277 injury by virtue of residing in a district that exhibits the alleged
278 violation, and whose injury is remedied by a differently drawn district,
279 shall have standing. If the court renders a judgment in which it finds
280 that a completed redistricting plan exhibits the alleged violation, its
281 judgment shall adjust only those districts, and only those parts of
282 district boundaries, necessary to bring the map into compliance. The
283 supreme court shall have exclusive appellate jurisdiction upon the
284 filing of a notice of appeal within ten days after the judgment has
285 become final.

Section 7. (a) [Within ten days after the population of this state is
2 reported to the President for each decennial census of the United States or, in the
3 event that a reapportionment has been invalidated by a court of competent
4 jurisdiction, within ten days after such a ruling has been made, the nonpartisan
5 state demographer authorized in Article III, Section 3 shall begin the preparation
6 of senatorial districting plans and maps using the same methods and criteria as
7 those required by Article III, Section 3 for the establishment of districts for the
8 house of representatives.

9 (b) Within sixty days after the population of this state is reported to the
10 President for each decennial census of the United States, or within sixty days
11 after a [reapportionment] **redistricting plan** has been invalidated by a court
12 of competent jurisdiction, the state committee **and the congressional district**
13 **committees** of each of the two political parties casting the highest vote for
14 governor at the last preceding **general** election shall[, at a committee meeting
15 duly called, select by a vote of the individual committee members, and thereafter
16 submit to the governor a list of ten persons, and] **meet and the members of**
17 **each committee shall nominate, by a majority vote of the elected**
18 **members of the committee present, provided that a majority of the**
19 **elected members is present, members of their party, residents in that**
20 **district, in the case of a congressional district committee, as nominees**
21 **for the senate independent bipartisan citizens commission. No party**
22 **shall select more than one nominee from any one state legislative**
23 **district. The congressional district committees shall each submit to the**
24 **governor their list of two elected nominees. The state committees shall**
25 **each submit to the governor their list of five elected nominees. Within**
26 thirty days thereafter the governor shall appoint a **senate independent**

27 **bipartisan citizens commission consisting of [ten members, five] two**
28 **nominees from each list submitted by each state committee and one**
29 **nominee from each list submitted by each congressional district**
30 **committee, to [reapportion] redistrict the thirty-four senatorial districts and**
31 **to establish the numbers and boundaries of said districts. No person shall be**
32 **appointed to both the house independent bipartisan citizens**
33 **commission and the senate independent bipartisan citizens commission**
34 **during the same redistricting cycle.**

35 If [either of the party committees] **any committee** fails to submit a list
36 within such time, the governor shall appoint [five members] **a member** of his or
37 **her own choice from the political party of the committee [so] failing to [act]**
38 **submit a list, provided that in the case of a congressional district**
39 **committee failing to submit a list, the person appointed to the**
40 **commission by the governor shall reside in the congressional district**
41 **of such committee.**

42 Members of the commission shall be disqualified from holding office as
43 members of the general assembly for four years following the date of the filing by
44 the commission of its final [statement of apportionment] **redistricting plan.**

45 [(c) Within six months after the population of this state is reported to the
46 President for each decennial census of the United States or in the event that a
47 reapportionment has been invalidated by a court of competent jurisdiction, within
48 six months after such a ruling has been made, the nonpartisan state demographer
49 shall file with the secretary of state and with the senatorial apportionment
50 commission a tentative plan of apportionment and map of the proposed districts.]

51 **(b)** The commissioners so selected shall [within ten days of receiving the
52 tentative plan of apportionment and map of the proposed districts required by
53 this subsection], **on the fifteenth day, excluding Sundays and state**
54 **holidays, after all members have been appointed,** meet in the capitol
55 building and proceed to organize by electing from their number a chairman, vice
56 chairman and secretary. The commission shall adopt an agenda establishing at
57 least three hearing dates on which hearings open to the public shall be held to
58 hear objections or testimony from interested persons. A copy of the agenda shall
59 be filed with the secretary of the senate within twenty-four hours after its
60 adoption. Executive meetings may be scheduled and held as often as the
61 commission deems advisable. [The commission may make changes to the
62 tentative plan of apportionment and map of the proposed districts received from

63 the nonpartisan state demographer provided that such changes are consistent
64 with this section and the methods and criteria required by Section 3 of this
65 Article for the establishment of districts for the house of representatives and
66 approved by a vote of at least seven-tenths of the commissioners. If no changes
67 are made or approved as provided for in this subsection, the tentative plan of
68 apportionment and map of proposed districts shall become final. Not later than
69 two months after receiving the tentative plan of apportionment and map of the
70 proposed districts, the commission shall file with the secretary of state a final
71 statement of the numbers and the boundaries of the districts together with a map
72 of the districts.]

73 (c) The senate independent bipartisan citizens commission shall
74 redistrict the senate using the same methods and criteria as those
75 required by subsection (b), section 3 of this article for the redistricting
76 of the house of representatives.

77 (d) Not later than five months after the appointment of the
78 senate independent bipartisan citizens commission, the commission
79 shall file with the secretary of state a tentative redistricting plan and
80 map of the proposed districts and during the ensuing fifteen days shall
81 hold such public hearings as may be necessary to hear objections or
82 testimony of interested persons. The commission shall make public the
83 tentative redistricting plan and map of the proposed districts, as well
84 as all demographic and partisan data used in the creation of the plan
85 and map.

86 (e) Not later than six months after the appointment of the
87 commission, the commission shall file with the secretary of state a final
88 statement of the numbers and the boundaries of the districts together
89 with a map of the districts, and no statement shall be valid unless
90 approved by at least seven-tenths of the members.

91 (f) After the final statement is filed, senators shall be elected
92 according to such districts until a new redistricting plan is made as
93 provided in this section, except that if the final statement is not filed
94 within six months of the time fixed for the appointment of the
95 commission, the commission shall stand discharged and the senate shall
96 be redistricted using the same methods and criteria as described in
97 subsection (b) of section 3 of this article by a commission of six
98 members appointed from among the judges of the appellate courts of
99 the state of Missouri by the state supreme court, a majority of whom

100 shall sign and file its redistricting plan and map with the secretary of
 101 state within ninety days of the date of the discharge of the senate
 102 independent bipartisan citizens commission. The judicial commission
 103 shall make public the tentative redistricting plan and map of the
 104 proposed districts, as well as all demographic and partisan data used
 105 in the creation of the plan and map. Thereafter, senators shall be
 106 elected according to such districts until a redistricting plan is made as
 107 provided in this section.

108 (g) Each member of the commission shall receive as compensation fifteen
 109 dollars a day for each day the commission is in session, but not more than one
 110 thousand dollars, and, in addition, shall be reimbursed for his or her actual and
 111 necessary expenses incurred while serving as a member of the commission.

112 (h) No [reapportionment] redistricting plan shall be subject to the
 113 referendum.

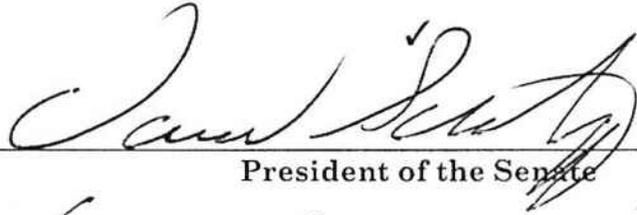
114 (i) Any action expressly or implicitly alleging that a redistricting
 115 plan violates this Constitution, federal law, or the United States
 116 Constitution shall be filed in the circuit court of Cole County and shall
 117 name the body that approved the challenged redistricting plan as a
 118 defendant. Only an eligible Missouri voter who sustains an individual
 119 injury by virtue of residing in a district that exhibits the alleged
 120 violation, and whose injury is remedied by a differently drawn district,
 121 shall have standing. If the court renders a judgment in which it finds
 122 that a completed redistricting plan exhibits the alleged violation, its
 123 judgment shall adjust only those districts, and only those parts of
 124 district boundaries, necessary to bring the map into compliance. The
 125 supreme court shall have exclusive appellate jurisdiction upon the
 126 filing of a notice of appeal within ten days after the judgment has
 127 become final.

Section B. Pursuant to chapter 116, and other applicable constitutional
 2 provisions and laws of this state allowing the general assembly to adopt ballot
 3 language for the submission of this joint resolution to the voters of this state, the
 4 official summary statement of this resolution shall be as follows:

5 "Shall the Missouri Constitution be amended to:

- 6 • Ban all lobbyist gifts to legislators and their employees;
- 7 • Reduce legislative campaign contribution limits; and
- 8 • Create citizen-led independent bipartisan commissions to

9 draw state legislative districts based on one person, one
10 vote, minority voter protection, compactness,
11 competitiveness, fairness, and other criteria?"



President of the Senate



Speaker of the House of Representatives

